IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

Bail Appl..No. 7312 of 2007()

CMP.8555/2007 of J.M.F.C.-II,KOTTARAKKARA
CRIME NO.412/07 OF KADAKKAL POLICE STATION

.....

: PETITIONER/ACCUSED

NIZARUDDEEN @ PONNUMON
S/O. SALAHUDEEN,PALLIKKUNNIL VEEDU
MUTTAYIL MURI, MANGODE VILLAGE
KADAKKAL, KOLLAM.

BY ADV. SRI.SAJU.S.A

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE, KADAKKAL POLICE STATION
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7312 of 2007

Dated this the 29th day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegation under Section 376 I.P.C. The alleged incident took place on 6.10.07. There was a prompt complaint and the petitioner was arrested on 7.10.07. The petitioner had come to this Court earlier with an application for regular bail. This Court, by order dated 06.11.07 in B.A.No.6746 of 2007, had dismissed the said prayer for regular bail. Facts have been adverted to in detail in that order. This order must be read in continuation of that order. I am, in these circumstances, not adverting to facts in greater detail in this order.

2. The learned counsel for the petitioner repeats the submissions that were made when the earlier application came up for consideration. He further points out that this Court had granted investigators time till 20.11.07 to complete the investigation. The petitioner who has remained in custody from 07.10.07 may now be enlarged on bail, it is prayed.

3. The learned Public Prosecutor opposes the application. The allegations are serious. Crime alleged and the materials collected reveal great depravity of the mind. Investigation is not complete. At this early stage of investigation, the petitioner may not be granted bail. Investigators may be given further time to complete the investigation, submits the learned Public Prosecutor.

4. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. I agree with the learned Public Prosecutor that the investigators in a serious crime like this are entitled for reasonable further time to complete the investigation.

5. This application for regular bail is, in these circumstances, dismissed, but with the observation that the petitioner shall be at liberty to move this Court or the courts below for bail again at a later stage of the investigation - not, at any rate, prior to 13.12.2007. Every endeavour must be made by the investigators to complete the investigation by then.

(R.BASANT, JUDGE)

rtr/-